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August 4, 2008

Via: E-file & Serve
The Honorable Gregory M. Sleet
United States District Court
844 North King Street
Lock Box 31
Wilmington, DE 19801

Re: Riley v. CMS
Our File No.: 13252-00167
C.A. No.: 06-001 (GMS)

Dear Judge Sleet:

In response to plaintiff's correspondence of July 16, 2008, D.I. 109, I again write to advise Your Honor that defendants, Correctional Medical Services, Inc. and Christine Malaney, have sufficiently responded to plaintiff's discovery requests.

Contrary to plaintiff's assertions, defendants have not failed to produce medical records in connection with plaintiff's requests for production of documents. On November 15, 2007, defendants filed Answers to Plaintiff's First Set of Interrogatories, D.I. 80, Responses to Plaintiff's Request for Production of Documents dated January 21, 2007, D.I. 81, and Responses to Plaintiff's Request for Production of Documents dated October 15, 2007, D.I. 82. All medical records in possession of defendants were attached under seal. D.I. 82.

As evidenced by plaintiff's letter to the Court dated June 11, 2008, D.I.104, defendants recognized that there had been some recent developments with respect to plaintiff's medical treatment at issue in this case. Therefore, on June 18, 2008, defendants requested plaintiff's updated medical records. On July 8, 2008, defendants filed Responses to Plaintiff's Request for Production (#3) dated March 20, 2008. D.I. 106. Defendants filed the updated requested medical records under seal. D.I. 107. As evidenced, defendants have properly and adequately responded to plaintiff's discovery requests. Defendants will forward all updated medical records that they have obtained and all medical records that have previously been filed under seal with the Court, D.I. 82 and D.I. 107, to plaintiff.

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However, in addition to the records previously requested, plaintiff now requests additional medical records dated April 15, 2008 and June 30, 2008. D.I. 109. CMS agrees to obtain and provide the updated medical records upon receipt of same.

On behalf of defendants, I thank Your Honor for your attention and consideration of this matter.

Respectfully submitted,

/s/ Kevin J. Connors

Kevin J. Connors

w/o Enclosures

cc: Ophelia Michelle Waters, Esquire (Letter only via E-file and Serve)(Letter & Enclosures via U.S. Mail)
James W. Riley (via U.S. Mail, w/enclosures)

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